

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION
IN ADMIRALTY**

In the Matter of the Complaint of Chicago
AquaLeisure, LLC, and Theresa Tran,
individually and as owners and/or owners *pro*
hac vice of the vessel LA AQUAVIDA,
Official Number GFNCY003E20 &
DOCUMENTATION #1155272, for
Exoneration from or Limitation of Liability

No. 1:22-cv-06478

LIMITATION PLAINTIFFS' AD INTERIM STIPULATION FOR VALUE AND COSTS

WHEREAS CHICAGO AQUALEISURE, LLC and THERESA TRAN (hereinafter "PLAINTIFFS"), as owners and/or owners *pro hac vice* of the vessel LA AQUAVIDA, Official Number GFNCY003E203 (hereinafter "AQUAVIDA"), having filed a complaint under the Limitation of Liability Act, 46 U.S.C. § 30501 *et seq.*,

WHEREAS, the Limitation Plaintiffs wish to prevent the further prosecution of all actions, suits or proceedings against either of them, as aforesaid, or against the AQUAVIDA or any of each of their other property, and any actions, suits, or proceedings of any nature or description whatsoever in any and all courts, and they wish to stipulate to the value of the AQUAVIDA in the amount of its interest therein, amounting to \$71,637.00 pending any further appraisalment of value of each of the Limitation Plaintiffs' interest in the AQUAVIDA, as this Court may hereafter order; and

WHEREAS, the Limitation Plaintiffs are depositing with the Court \$71,637.00 necessary to establish security for the limitation fund;

WHEREAS, the Limitations Plaintiffs are depositing the sum of One Thousand and 00/100 Dollars (\$1,000.00) in fulfillment of their obligation to secure costs as required by Supplemental Admiralty Rule (F)(1);

NOW, THEREFORE, the conditions of the Ad Interim Stipulation are that:

1. The Limitation Plaintiffs, by their undersigned attorneys, hereby submit themselves to the jurisdiction of this Court and appoint the undersigned attorneys as their agents for the service of process in this matter, only;

2. Pending any further appraisal of the value of each of the Limitation Plaintiffs' interest in the AQUAVIDA at the time in question as the Court may hereafter order, the Limitation Plaintiffs stipulate in the sum of \$71,637.00 as the value of the Limitation Plaintiffs' interest in the AQUAVIDA; that, pursuant to further order of this Court confirming the appraisal of the value of each of the Limitation Plaintiffs' interest in the AQUAVIDA, they will file or cause to be filed, in this action further stipulations for value, or other form of security as may be ordered by this Court, in the amount or value of such interest as thus ascertained; and, pending the filing of such further stipulation for value, or other form of security as may be ordered by this Court, this Stipulation shall stand as security for all claims in response to said Limitation Complaint; and

3. Until further stipulation for value or other form of security shall be substituted for this Stipulation as aforesaid, each of the Limitation Plaintiffs agree to abide by all orders and decrees of this Court, intermediate or final, pay all court costs and fees earned by the U.S. Marshal as herein set forth and to pay the amount awarded by the final decree rendered by this Court, or an appellate court if an appeal intervenes, up to the principal amount of this Stipulation with interest

as aforesaid, and, if such payments are made, this Stipulation shall become void, otherwise to remain in full force and effect.

IT IS HEREBY STIPULATED AND AGREED, for the benefit of whom it may concern, that the Limitation Plaintiffs shall be bound in the sum of \$71,637.00 and to pay the amount awarded by the final decree rendered by the Court, or an appellate court if an appeal intervenes, up to the principal amount of this Stipulation with interest as aforesaid; and if such payments are made, this Stipulation shall become void, otherwise to remain in full force and effect.

IT IS FURTHER STIPULATED AND AGREED, for the benefit of whom it may concern, that the Limitation Plaintiffs shall be and are bound in the sum of One Thousand and 00/100 Dollars (\$1,000.00), conditioned that Limitation Plaintiffs shall pay all costs that shall be awarded against each of them by this Court, or, in case of appeal, by the appellate court, and all fees earned by the U.S. Marshal, and reasonable expenses, and all costs of every description which may accrue to the United States, up to the principal amount of this Stipulation with interest as aforesaid; and if such payments are made, this Stipulation shall become void, otherwise to remain in full force and effect.

Dated: November 21, 2022.

Respectfully Submitted,

/s/ Robert J. Franco
One of the Attorneys for the Limitation Plaintiffs
Chicago AquaLeisure, LLC and Theresa
Tran

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